

**OFFICE OF THE UNITED STATES TRUSTEE
NORTHERN DISTRICT OF CALIFORNIA**

In re) Chapter 11
)
) Case No:
) Debtor in Possession Real Property
Debtor(s).) Questionnaire
_____)

**SUBMIT THIS QUESTIONNAIRE TO THE OFFICE OF THE UNITED STATES
TRUSTEE ONLY
DO NOT FILE IN THE BANKRUPTCY COURT**

The debtor in possession is required to complete a Real Property Questionnaire for each parcel of real property in which it holds a legal or equitable interest. This includes, but is not limited to, property held under ownership, leasehold, land sale or open escrow. A continuation sheet should be attached for each question where additional space is needed.

A. GENERAL PROPERTY INFORMATION

1. Address of property including county and state in which it is located:

2. Type of real property, (i.e. single family residence, condominium, apartment building, office building, commercial, industrial, unimproved):

3. Description of property (i.e. number of units or offices, square footage, amenities and present condition):

4. Define your interest in the real property.

☐ Ownership (i.e. fee ownership)

☐ Leasehold

☐ Land Sale

☐ Other - Explain:

5. Does the property presently conform to all local, state and federal requirements such as health, building, safety, earthquake, fire or other regulations?

☐ Yes ☐ No

If no, please explain:

B. INCOME AND MANAGEMENT OF PROPERTY

1. Is any income being generated from rental or use of the property by third parties?

☐ Yes. Present gross monthly income: \$ _____

☐ Percentage of occupancy: % _____

☐ No

2. If the property is being used or occupied by a third party, provide the name of that party, explain the relationship, or affiliation, if any, to the debtor and explain the terms of any agreement with that party.

3. Is there any person or entity managing the property?

☐ Yes ☐ No

If yes, please provide the name, address and telephone number of the managing person/entity and attach a copy of the management agreement and the terms of payment since the commencement of this case.

4. Is the manager (or principals of the management company) in any way related to or affiliated with the debtor?

___ Yes ___ No

If yes, please detail the relationship.

5. Has a real estate broker or agent been employed by the debtor in possession?

___ Yes ___ No

If yes, please provide the name, address and telephone number of the broker or sales agent, date of listing and listing price.

6. Has a receiver been appointed by the court? ___ Yes ___ No

If yes, please provide the name, address and telephone number and the date of appointment of the receiver.

C. PROPERTY OWNED BY THE DEBTOR IN POSSESSION

1. Is the debtor in possession also the titleholder to the property?

___ Yes

___ No - Please explain.

2. Percentage interest and type of ownership (i.e. fee simple, tenants in common, joint tenancy, etc.) held in the property by the debtor.

_____ % Type of ownership:

3. Date of acquisition of property and purchase price.

4. Present fair market value: \$ _____. Source and basis of fair market value.

Date of last appraisal _____.

5. Voluntary encumbrances recorded against the property (e.g. mortgages/trust deeds, stipulated judgments):

	<u>Mortgage</u>				<u>Indicate if P&I or Interest Only</u>	<u>No. of Delinquent Payments</u>
	<u>Name of Lender</u>	<u>Date of Encumbrance</u>	<u>Payment Frequency</u>	<u>Amount of Payment</u>		
1st						
2nd						
3rd						
4th						
5th						

6. If any pre-petition debt service payments remain unpaid as a result of a dispute, were such

payments escrowed into a separate trust account?

☐ Yes ☐ No

If yes, please provide the name of the depository, account number and amount of funds on hand.

7. Involuntary encumbrances recorded against the property (i.e. tax, mechanics, judgment, lis pendis and other liens) --- State type of lien, amount and date recorded:

8. Itemize all the monthly expenses related to the property, excluding debt service, (attach a separate listing, if necessary):

D. PROPERTY LEASED BY THE DEBTOR IN POSSESSION

1. What is the name, address and telephone number of the lessor?

2. Does the lessor own the property? ☐ Yes ☐ No

In no, please provide the name and address of the owner.

3. Does a written lease exist between the debtor and lessor?

☐ Yes **Please attach a copy of the lease.**
☐ No Please explain the terms of the lease.

4. Lease payment amount: \$ _____

Per: ☐ Month ☐ Quarter ☐ Other - Explain

5. Number and amount of unpaid pre-petition lease payments:

Number: _____ Amount: \$ _____

6. If any pre-petition lease payments remained unpaid as a result of a dispute, were such payments escrowed into a separate trust account?

☐ Yes ☐ No

If yes, please provide the name of the depository, account number and amount of funds on hand.

I, _____, declare under penalty of perjury that the information provided herein is true and correct to the best of my knowledge.

Dated: _____

Debtor in Possession (Print name)

(Signature)